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**Sent:** 1/12/2021 5:44:56 PM  
**To:** Chu, Ed [Chu.Ed@epa.gov]; Halstead, Amanda [halstead.amanda@epa.gov]; Tapp, Joshua [Tapp.Joshua@epa.gov]  
**Subject:** FW: R7 OPA Daily Clippings - 1/12/2021

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**The Hill - EPA preps for transition of power with unusual change to succession orders -**

**1/11/21** - A new line of succession established at the EPA leaves an official who was slotted into a newly created high-ranking role just a month ago in charge on Inauguration Day. <http://bit.ly/38BUD4E>

## EPA preps for transition of power with unusual change to succession orders

By [Rebecca Beitsch](#) - 01/11/21 04:34 PM EST

A new line of succession established at the Environmental Protection Agency (EPA) leaves an official who was slotted into a newly created high-ranking role just a month ago in charge on Inauguration Day.

Charlotte Bertrand, who until last month worked in EPA's water office, will be the lead official briefing Biden administration nominees and will take over as Administrator [Andrew Wheeler](#) steps down.

It's not unusual for agencies to update their succession orders, especially in the waning days of the administration when a transfer of power is imminent.

But some were surprised the handoff would go to a career employee who was so recently elevated.

A mid-December email to staff [obtained by InsideEPA](#) announced Bertrand was being promoted, the third such move for her over three years.

"The charitable assumption was they wanted to have someone in a career position in Washington to be able to step in when the transition occurred. It was hard for them to acknowledge because Trump didn't acknowledge he lost, but clearly someone was thinking about this at EPA," Stan Meiberg, a former acting deputy administrator for the EPA during the Obama years, said of the agency's December decision.

The succession order released by the White House late Friday leaves a number of officials in the line of succession above Bertrand, who is 11th on the list to take over in the event of a vacancy.

But because every official above her is a political appointee, Bertrand will be the only one left at the agency on Jan. 20. The Trump administration has asked all political appointees to tender their resignation by Inauguration Day.

"It's suspicious because they made that position for her. It's not like she's always been in some position in the line [of succession]. They made it for her a month ago," said Gretchen Goldman with the Center for Science and Democracy at the Union of Concerned Scientists.

Meiberg said the order doesn't concern him, mainly because it contains a provision allowing President-elect Joe Biden to appoint his own acting administrator to lead the agency.

"I think the most important section is one that was carried over from previous orders, Section 2, which allows the president to name someone to become acting administrator and that's what's happened in past experiences," he said.

EPA did not respond to questions about the rationale behind the succession order.

"This is a transition document laying out acting positions come January 20th once political appointees vacate their current offices. Administrator Wheeler will remain administrator until that date. Charlotte Bertrand will then become acting administrator at noon on January 20th," an agency spokesman said by email.

Biden plans to nominate Michael Regan to lead the EPA.

Regan, 44, is currently the secretary for North Carolina's Department of Environmental Quality (DEQ), the state's EPA equivalent. He previously worked for the EPA under the Clinton and George W. Bush administrations.

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**From:** Bryan, David <Bryan.David@epa.gov>  
**Sent:** Tuesday, January 12, 2021 11:04 AM  
**To:** R7 Senior Staff <R7\_Senior\_Staff@epa.gov>  
**Subject:** R7 OPA Daily Clippings - 1/12/2021

## R7 IN THE NEWS

**Advanced Biofuels USA - 'There's a Red Flag Here': How an Ethanol Plant Is Dangerously Polluting a US Village - 1/11/21** - But unlike most of the other 203 US ethanol plants, AltEn has been using seed coated with fungicides and insecticides, including those known as neonicotinoids, or "neonics", in its production process. <https://bit.ly/3qfglBy> Also Sierra Club Nebraska, CleanTechnica, Governors Biofuel Coalition, Circle of Blue, YouTube, Train or Grain, Roche Farm & Garden News.

## REGIONAL

**Kansas City Star - KS, MO state capitols take precautions as FBI warns of 'armed protests' nationwide - 1/11/21** - Kansas and Missouri officials are taking precautions as threats of new violence mount just days after the deadly riot at the U.S. Capitol that claimed five lives. <http://bit.ly/2MSiEff>

**ABC - Armed protests being planned at all 50 state capitols, FBI bulletin says - 1/11/21** - Starting this week and running through at least Inauguration Day, armed protests are being planned at all 50 state capitols and at the U.S. Capitol, according to an internal FBI bulletin obtained by ABC News. <http://abcn.ws/3nBTKHf>

**CleanTechnica - Eco-Terrorism and Renewable Energy in Nebraska: The Two Faces of Climate Policy - 1/11/21** - Nebraska is a prime example of how theory and reality are often at odds with one another. On one hand, the state is encouraging a surge in renewable energy while on the other, it is allowing some of its citizens to be poisoned by the effluent from an ethanol factory. First the good news. <http://bit.ly/2Kcb5zq>

**Midwest Energy News - Study: Batteries could bolster renewables in Iowa, but likely not without help - 1/11/21** - An assessment of the potential of storage in the state, a leader in wind energy, also identified barriers to its expansion. <http://bit.ly/3sjswPG>

## **2021 TRANSITION**

**The Hill - EPA preps for transition of power with unusual change to succession orders - 1/11/21** - A new line of succession established at the EPA leaves an official who was slotted into a newly created high-ranking role just a month ago in charge on Inauguration Day. <http://bit.ly/38BUD4E>

**Resources Magazine - How Permanently Has the Outgoing Administration Impacted Environmental Policy? - 1/11/21** - This article is part of a blog series from Resources for the Future (RFF), released weekly in the lead-up to Inauguration Day. In this series, RFF scholars weigh in on key challenges facing the new administration and explore the outlook for climate policy in the coming years. A version of this article will appear in the upcoming issue of Resources magazine. <http://bit.ly/3i6RTiH>

**E&E News - What Trump's dismal deregulatory record means for Biden - 1/11/21** - But as Trump's sole term comes to a close, that deregulatory legacy remains tarnished and trammled by the courts. Much of the administration's efforts have been unable to survive legal scrutiny, while others await judgement that will come after President-elect Joe Biden takes office. <http://bit.ly/38zlxZU>

**Iowa Agribusiness Radio Network - NCGA pleased with what they have seen during transition - 1/11/21** - Whenever there is a change in Washington leadership, there is a sense of unease. It takes time to get to know who you are working with and what their agenda is going to be. Having the chance to meet with leaders in advance goes a long way to easing some of that uncertainty. <https://bit.ly/2LGVgAU>

## **CORONAVIRUS**

**USA Today - Record low flu cases show how COVID-19 is more contagious and 'less forgiving,' experts say - 1/11/21** - As COVID-19 raged last year, the seasonal flu all but vanished, according to data from the U.S. Centers for Disease Control and Prevention. Health experts said that high vaccination rates against the flu – combined with social distancing, mask-wearing and hand-washing employed to stop the spread of the coronavirus – played a huge role in preventing influenza transmission. <http://bit.ly/3qeAW8U>

**Cedar Rapids (IA) Gazette - Over 90K Iowans get at least one dose of COVID-19 vaccine State adds 438 coronavirus cases, 1 death Monday - 1/11/21** - More than 90,000 Iowans had received at least one dose of a COVID-19 vaccine by Monday, public health officials reported, nearly a month after the first inoculations in the state were given Dec. 14. <http://bit.ly/2MSjokx>

**KSN Ch. 2 Wichita KS - Kansas is showing a downward trend in COVID cases - 1/11/20** - Kansas is one of three states seeing a downward trend in the number of COVID-19 cases, according to Johns Hopkins University. <http://bit.ly/3i69iYO>

**FortScott.biz - Governor Laura Kelly Announces Kansas Receives National Recognition for Wind Energy Production, Capacity - 1/11/21** - Governor Laura Kelly today announced that the state of Kansas has once again been recognized as a national leader in wind energy, with Business Facilities Magazine noting lofty rankings for Kansas when compared to all other states and awarding an Honorable Mention to the Grain Belt Express project in the magazine's Deal of the Year competition. <http://bit.ly/35yTRn4>

**AP - UN: COVID-19 herd immunity unlikely in 2021 despite vaccines - 1/11/21** - The World Health Organization's chief scientist warned that even as numerous countries start rolling out vaccination programs to stop COVID-19, herd immunity is highly unlikely this year. <http://bit.ly/39nK0GB>

**New York Times - Covid Took a Bite from U.S. Greenhouse Gas Emissions in 2020 - 1/12/21** - Emissions plunged more than 10 percent. If the trend can be sustained, it would put the United States within striking distance of one of its major goals under the Paris climate agreement. <http://nyti.ms/2N1k0ol>

## **FUELS**

**Brownfield Ag News - RFA Encourages Biden to Deny Wiavers, Reacts to EPA Waiver Rumor - 1/11/21** - The Renewable Fuels Association released data Monday saying if President-Elect Biden wants to secure 10.7 million metric tons of greenhouse gas reductions, he should reject 66 pending waiver requests on day one. <http://bit.ly/2MZniID>

**Reuters - Trump administration expected to grant biofuel waivers for some oil refiners - sources - 1/12/21** - The Trump administration is expected to grant waivers to some oil refiners that would exempt them from requirements to blend biofuels into their fuel mix for the 2019 compliance year, according to two sources familiar with the matter. <http://reut.rs/3skLISz>

**Biofuels Digest - Supreme Court to review Tenth Circuit Court ruling on SREs - 1/11/21** - The U.S. Supreme Court announced on Jan. 8 it will review a Jan. 24, 2020 ruling by the Tenth Circuit Court of Appeals that, if implemented nationally, would reduce the number of obligated parties that are eligible to apply for small refinery exemptions (SREs) under the Renewable Fuel Standard. <https://bit.ly/3sccd70>

**Biofuels Digest - Ohio State University scientists discover cheaper way to produce biofuels - 1/11/21** - In Ohio, scientists at Ohio State University have figured out a cheaper, more efficient way to conduct a chemical reaction at the heart of many biological processes, which may lead to better ways to create biofuels from plants. <http://bit.ly/35Qis7d>

**Biofuels Digest - IRS issues final rule on carbon capture Section 45Q tax credit - 1/11/21** - In Washington, nearly three years after passage of the FUTURE Act reforming the Section 45Q tax credit, the Internal Revenue Service has issued a final rule to implement the credit. <http://bit.ly/3i6pObj>

**Energy.Agwired.com - RFA Announces DC Staff Changes - 1/12/21** - The Renewable Fuels Association has announced two new staff members for the organization's Washington DC office. <https://bit.ly/3i4lpER>

## **NATIONAL**

**AP - 50 countries vow to protect 30% of land and sea by 2030 - 1/11/21** - At least 50 countries committed to protecting 30% of the planet, including land and sea, over the next decade to halt species extinction and address climate change issues, during a global summit Monday aimed at protecting the world's biodiversity. <http://bit.ly/3nAsoHW>

**AP - Oil companies lock in drilling, challenging Biden on climate - 1/10/21** - In the closing months of the Trump administration, energy companies stockpiled enough drilling permits for western public lands to keep pumping oil for years and undercut President-elect Joe Biden's plans to curb new drilling because of climate change, according to public records and industry analysts. <http://bit.ly/3nx9d1y>

**AP: Study: Wildfires produced up to half of pollution in US West - 1/12/21** - Wildfire smoke accounted for up to half of all health-damaging small particle air pollution in the western U.S. in recent years as warming temperatures fueled more destructive blazes, according to a study released Monday. <http://bit.ly/3byRTXM>

**AP - Scientists decry death by 1,000 cuts for world's insects - 1/12/21** - The world's vital insect kingdom is undergoing "death by a thousand cuts," the world's top bug experts said. Climate change, insecticides, herbicides, light pollution, invasive species and changes in agriculture and land use are causing Earth to lose probably 1% to 2% of its insects each year. <http://bit.ly/39muTsk>

**The Hill - Environmental groups sue in bid to block EPA 'secret science' rule - 1/11/21** - Green groups on Monday filed a lawsuit in an attempt to prevent a new rule limiting the EPA use of certain studies from taking effect. <http://bit.ly/3sk4X9m>

**FedWeek - Federal Employee Policy Disputes Continue Down to the Wire - 1/11/21** - As the Trump administration enters its 11th hour, disputes over federal personnel policies that have marked its tenure are continuing, with employee organizations still watchful for what might happen at virtually the last moment. <http://bit.ly/38C55ZR>

**HuffPost - Days After the Riot, It's Business as Usual at Trump's Environment Agencies - 1/11/21** - Despite high-profile Cabinet defections, the heads of the Interior and Energy departments and EPA are staying put. <http://bit.ly/3siRHBO>

**National Law Review - EPA Updates Modeling Tool That Evaluates Chemical's Potential to Cause Cancer - 1/11/21** - The EPA announced on January 8, 2021, that it released an updated and

improved version of OncoLogic™, a system used to evaluate a chemical's potential to cause cancer. <http://bit.ly/2Xykhkr>

**Green Matters - How Choosing Solar Can Help Prevent Pollution, in the Long Run - 1/11/21**

- Solar's transformation has allowed it to become one of the most affordable forms of energy, but how does solar energy prevent pollution? <http://bit.ly/3shq3VK>

**Yahoo!News - Climate change linked to billions of dollars in flood costs - 1/11/21** - Weather and climate-related disasters have cost the U.S. nearly \$2 trillion over the last 40 years. More than one-third of the \$199 billion in U.S. flood damage is directly related to trends in increased precipitation, a new study finds. <http://yhoo.it/3oFgWfc>

**Bloomberg Law - Supreme Court's Environmental Docket Swells With Added Cases - 1/11/21**

- The Supreme Court's environmental docket got a lot busier last week, as the justices agreed to wade into new disputes over renewable fuels and hazardous waste. <https://bit.ly/2LqTjJ5>

**Bloomberg Law - Trump Environmental Record Marked by Big Losses, Undecided Cases - 1/11/21**

- Fast forward to 2021, and the story of the Trump team's legal scorecard is more complicated, showing a mixed record of success, failure, and unresolved cases. Its exact win-loss rate in environmental cases is the subject of ongoing debate—a moving target depending on which lawsuits are tallied and how they're categorized. <https://bit.ly/3oHoOx4>

**Bloomberg Law - How Biden Can Decarbonize the Power Sector: Green Insight - 1/11/21**

- President-elect Joe Biden campaigned aggressively on climate change and racial justice. In mid-July he announced his intention to make the U.S. power sector carbon-free by 2035 and invest \$2 trillion over four years to help achieve it. Forty percent of that sum would be directed to areas historically neglected by energy and infrastructure programs. <https://bit.ly/2XFmZEF>

**Inside EPA - Environmentalists Urge Biden To Reverse Late Changes To PFAS Guide - 1/11/21**

- Environmentalists are calling for the incoming Biden administration to restore EPA's original version of its draft guidance for implementing the agency's significant new use rule (SNUR) governing certain per- and polyfluoroalkyl substances (PFAS), arguing that officials improperly narrowed the guidance's scope during White House review. <http://bit.ly/3skBX12>

**Inside EPA - Attorneys Expect TSCA Fees Proposal To Spark Battles Over 'Flexibility' - 1/11/21**

- EPA's just-published proposal to overhaul the user fees that support TSCA chemical evaluations could set up battles among industry sectors with each seeking to minimize their own fees, while giving the Biden administration a path to fund the more-robust chemical evaluations environmentalists say the law requires, observers say. <http://bit.ly/2XBkuTT>

**Inside EPA - EPA union files second labor complaint against Wheeler - 1/11/21** - The American Federation of Government Employees (AFGE) has filed an unfair labor practice complaint against EPA Administrator Andrew Wheeler alleging he misrepresented the union's position on telework in an email to all agency staff, the second formal complaint that the union has lodged against the agency chief. <http://bit.ly/39psHAe>

**Inside EPA - Rejecting DOJ, High Court Accepts Suit On CERCLA Statute Of Limitations -**

**1/11/21** - Over the objections of the Trump Justice Department (DOJ) and in a surprise to some lawyers, the Supreme Court has agreed to hear litigation that will test which section of the law, and their different statutes of limitations, parties must use when seeking to recoup Superfund cleanup costs. <http://bit.ly/2LKjBWm>

**Inside EPA - EPA Weighs Future Changes To Effluent Limits For Several Major Sectors - 1/11/21**

- EPA's latest plan for updating effluent standards for many industries says the agency is continuing to study the electrical and electronic components (E&EC) sector and the meat and poultry products industry to assist its review of whether to make any future changes to those limits. <http://bit.ly/3q66qOC>

**Inside EPA - EPA Floats Designation Of PFAS As CERCLA 'Hazardous' Substances - 1/11/21** - EPA has sent a proposal designating two per- and polyfluoroalkyl substances (PFAS) as "hazardous substances" under the Superfund law for White House review, a measure that is expected to bolster EPA's cleanup authorities, months after Democrats questioned whether the Trump administration was delaying the designation. <http://bit.ly/2LJQouY>